



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/583,411	05/31/2000	Kurt Russell Taylor	AUS000153US1	3019

7590 10/08/2003

Duke W Yee
Carstens & Yee & Cahoon LLP
P O Box 802334
Dallas, TX 75380

EXAMINER

TRUONG, LECHI

ART UNIT	PAPER NUMBER
----------	--------------

2126

DATE MAILED: 10/08/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application N .

Applicant(s)

09/583,411

TAYLOR, KURT RUSSELL

Examin r

Art Unit

LeChi Truong

2126

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 May 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-57 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-57 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Art Unit: 2126

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. Claims **3, 22, 41** are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter, which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

As to claim 3, 22, 41, the term “the registry is overwritten “ was not described in the specification.

Claim Rejections - 35 USC § 103

2. Claims **1-4, 9, 16, 17, 20-23, 28, 35-36, 39-42, 47, 54-56** are rejected under 35 U.S.C. 103(a) as being unpatentable over Spofford (US. Patent 5,913,037) in view of Whitehead (US. Patent 6,085,030).

As to claim 1, Spofford teaches OID (OID, col 2, ln 59-67, col 6, ln 1-45, col 4, ln 1-9, col 7, ln 20-62, col 8, ln 15-52), abstraction layer (MIB manager, (OID, col 2, ln 59-67/ col 6, ln 1-45/ col 4, ln 1-9/ col 7, ln 20-62/col 8, ln 15-52/ col 11, ln 1-30/ col 12, ln 40-67), an OID tree structure (col 2, ln 59-67/ col 6, ln 1-45/ col 4, ln 1-9/ col 7, ln 20-62/col 8, ln 15-52/ col 11, ln 1-30/ col 12, ln 40-67).

Spofford does not teach a registry, a repository. However, Whitehead teaches registry, repository (col 4, ln 35-67/ col 5, ln 1-30, col 7, ln 20-67/ col 8, ln 5-45/ col 9, ln 5-30/ col 10, ln 5-40).

It would have been obvious to apply the teaching of Whitehead to Spofford in order to provide a system for managing the location, distribution and access of various

Art Unit: 2126

software, hardware, and data components and component object modes distributed in a computer network.

As to claim 2, Spofford does not teach an anchor point. However, Whitehead teaches an instance (col 14, ln 40-67/ col 10, ln 5-40).

It would have been obvious to apply the teaching of Whitehead to Spofford in order to ensure proper administration, authentication and runtime binding access to components offered in response to requests from application executing on the consume nodes.

As to claim 3, Spofford does not teach registered. However, Whitehead teaches a registry, a repository. However, Whitehead teaches registry (col 4, ln 35-67/ col 5, ln 1-30, col 7, ln 20-67/ col 8, ln 5-45/ col 9, ln 5-30/ col 10, ln 5-40).

It would have been obvious to apply the teaching of Whitehead to Spofford in order to provide a system for managing the location, distribution and access of various software, hardware, and data components and component object modes distributed in a computer network.

As to claim 4, Spofford teaches query (query, col 10, ln 35-67).

Spofford does not teaches an identifies a repository that maintains object information for the request object based on the registered anchor point. However, Whitehead teaches the instance match the request (col 14, ln 40- 67).

It would have been obvious to apply the teaching of Whitehead to Spofford in order to ensure proper administration, authentication and runtime binding access to components offered in response to requests from application executing on the consume nodes.

Art Unit: 2126

As to claim 9, Spofford teaches a first query (a query, col 10, ln 25-67 to col 11, ln 1-16), the object data (the objects, col 10, ln 25-67 to col 11, ln 1-16), a request (request, col 10, ln 25-67 to col 11, ln 1-16), a protocol (SNMP, col 1, ln 1-35/ protocol, col 5, ln 5-67/ col 6, ln 1-67), OID (OID, col 2, ln 59-67, col 6, ln 1-45, col 4, ln 1-9, col 7, ln 20-62, col 8, ln 15-52), abstraction layer (MIB manager, (OID, col 2, ln 59-67/ col 6, ln 1-45/ col 4, ln 1-9/ col 7, ln 20-62/col 8, ln 15-52/ col 11, ln 1-30/ col 12, ln 40-67), API .

Spofford does not teach a registry, a repository, and the distributed data, API. However, Whitehead teaches registry, repository, the service distributed through the network (col 4, ln 35-67/ col 5, ln 1-30, col 7, ln 20-67/ col 8, ln 5-45/ col 9, ln 5-30/ col 10, ln 5-40), API (col 9, ln 5-31).

It would have been obvious to apply the teaching of Whitehead to Spofford in order to provide a system for managing the location, distribution and access of various software, hardware, and data components and component object modes distributed in a computer network.

As to claim 16, Spofford teaches an Object Identifier (OID) subtree structure (subtree of BIM 520, col 12, ln 7-50), plurality of repository (MIB objects, col 3, ln 1-20).

As to claim 17, Spofford teaches SNMP (the SNMP, col 1, ln 10-23).

As to an apparatus of claim 20, see the rejection of claim 1.

As to an apparatus of claim 21, see the rejection of claim 2.

As to an apparatus of claim 22, see the rejection of claim 3.

As to an apparatus of claim 23, see the rejection of claim 4.

Art Unit: 2126

As to an apparatus of claim 28, see the rejection of claim 9.

As to an apparatus of claim 35, see the rejection of claim 16.

As to an apparatus of claim 36, see the rejection of claim 17.

As to a computer program product of claim 39, see the rejection of claim 1.

As to a computer program of claim 40, see the rejection of claim 2.

As to a computer program of claim 41, see the rejection of claim 3.

As to a computer program of claim 42, see the rejection of claim 4.

As to a compute program of claim 47, see the rejection of claim 9.

As to a computer program of claim 54, see the rejection of claim 16.

As to a computer program of claim 55, see the rejection of claim 17.

As to a computer program of claim 56, see the rejection of claim 18.

3. Claims 5-8, 10-15, 18, 24-27, 29-34, 37, 43-46, 48-53 are rejected under 35 U.S.C. 103(a) as being unpatentable over Spofford (US. Patent 5,913,037) in view of Whitehead (US. Patent 6,085,030) and further in view of Ferguson (US. Patent 6,016,499).

As to claim 5, Spofford teaches request (col 10, ln 55-67 to col 1-16), reply message (the information as desired, col 10, ln 55-67 to col 1-16).

Spofford does not teach API. However, Ferguson teaches API (col 5, ln 5-20/ col 8, ln 23-67).

It would have been obvious to apply the teaching of Ferguson to Spofford in order to provide such a system and method, which make repository information accessible to tools that use SQL.

Art Unit: 2126

As to claim 6, Spofford teaches a protocol interface (network protocol, col 5, ln 5-67/ col 6, ln 1-67).

As to claim 7, Spofford does not teach convert the request into an application program interface (API) / an API reply. However, Ferguson teaches translating a relational database language into an executable API (col 5, ln 5-20/ col 8, ln 21-67).

It would have been obvious to apply the teaching of Ferguson to Spofford in order to provide such a system and method, which make repository information accessible to tools that use SQL.

As to claim 8, Spofford does not teach reformat the object data in the reply message. However, Ferguson teaches translating the API result into a relational database result (col 5, ln 5-20/ col 8, ln 21-67).

It would have been obvious to apply the teaching of Ferguson to Spofford in order to provide such a system and method, which make repository information accessible to tools that use SQL.

As to claim 10, Spofford does not teach mapped into the second query. However, Ferguson teaches translating a relational database language into an executable API (col 5, ln 5-20/ col 8, ln 21-67), a SQL tables ()/ SQL columns ()(col 9, ln 1-31).

It would have been obvious to apply the teaching of Ferguson to Spofford in order to provide such a system and method, which make repository information accessible to tools that use SQL.

As to claim 11, Spofford does not teach mapped into second query due to a limitation. However, Ferguson teaches if the relational database language statement

Art Unit: 2126

identifies a column of the table 80, the invention maps the attribute 76 to the column (col 8, ln 1-20).

It would have been obvious to apply the teaching of Ferguson to Spofford in order to identify and define the available attributes in the repository.

As to claim 12, Spofford teaches the object (the object, col 10, ln 35-67), the first query (query, col 10, ln 35-67).

As to claim 13, Spofford teaches the object (information as desired, col 11, ln 1-16).

As to claim 14, Spofford teaches the protocol (the protocol, col 5, ln 5-67/ col 6, ln 1-67), the second reply (the information to the agent, col 11, ln 1-16).

As to claim 15, Spofford teaches the requester (the agent/ the SNMP requests, col 11, ln 1-16).

Spofford does not explicit teach the term “teach the distributed data processing”. However, Whitehead teaches distributed throughout the network (col 4, ln 35-50).

It would have been obvious to apply the teaching of Whitehead to Spofford in order to provide a system for managing the location, distribution and access of various software, hardware, and data components and component object modes distributed in a computer network.

As to claim 18, Spofford does not teach LDAP. However, Ferguson teaches (LDAP, col 5, ln 6-29).

It would have been obvious to apply the teaching of Ferguson to Spofford in order to save a time and make it easy to connect between the systems without frustrating for searching the address.

Art Unit: 2126

As to an apparatus of claim 24, see the rejection of claim 5.

As to an apparatus of claim 25, see the rejection of claim 6.

As to an apparatus of claim 26, see the rejection of claim 7.

As to an apparatus of claim 27, see the rejection of claim 8.

As to an apparatus of claim 29, see the rejection of claim 10.

As to an apparatus of claim 30, see the rejection of claim 11.

As to an apparatus of claim 31, see the rejection of claim 12.

As to an apparatus of claim 32, see the rejection of claim 13.

As to an apparatus of claim 33, see the rejection of claim 14.

As to an apparatus of claim 34, see the rejection of claim 15.

As to an apparatus of claim 37, see the rejection of claim 19.

As to a compute program of claim 43, see the rejection of claim 5.

As to a compute program of claim 44, see the rejection of claim 6.

As to a compute program of claim 45, see the rejection of claim 7.

As to a compute program of claim 46, see the rejection of claim 8.

As to a compute program of claim 48, see the rejection of claim 10.

As to a compute program of claim 49, see the rejection of claim 11.

As to a computer program of claim 50, see the rejection of claim 12.

As to a computer program of claim 51, see the rejection of claim 13.

As to a computer program of claim 52, see the rejection of claim 14.

As to a computer program of claim 53, see the rejection of claim 15.

Art Unit: 2126

4. Claims **19, 38, 57** are rejected under 35 U.S.C. 103(a) as being unpatentable over Spofford (US. Patent 5,913,037) in view of Whitehead (US. Patent 6,085,030) and further in view of Admitted Prior Art (APA).

As to claim 19, Spofford does not teach (CIM/XML). However, APA teaches CIM (col 2, ln 10-18)/ CIM/XML (page 3, ln 1-14).

It would have been obvious to apply the teaching of APA to Spofford in order to allow different management applications to collect the required data from a variety of sources.

As to an apparatus of claim 38, see the rejection of claim 19.

As to a compute program of claim 57, see the rejection of claim 19.

5. ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LeChi Truong whose telephone number is (703) 305 5312. The examiner can normally be reached on 8 - 5.

Fax phone: AFTER_FINAL faxes must be signed and sent to: (703) 746-2738, OFFICAL faxes must be signed and send to: (703) 746-7239, NON OFFICIAL faxes should not be signed, please send to: (703) 746-7240

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703 305 9000.

Application/Control Number: 09/583,411

Page 10

Art Unit: 2126

LeChi Truong
October 3, 2003



JOHN FOLLANSBEE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100